

REMARKS

In the office action mailed December 29, 2004, the Examiner relied on Pan for the first time. In response thereto, the Applicant amended claim 26 to take out the word "substantially" before "planar exposed upper surface" in claim 26, second to last line. In response thereto, the Examiner withdrew reliance on Pan.

This withdrawal was because, plainly, Pan shows what the Examiner considered a substantially planar surface, not a planar one, as clearly seen in the front page of the patent. The reference in the most recent office action to Pan's teaching of substantially flat upper surface is no longer applicable since the claim calls for a planar surface, not a substantially flat upper surface. In fact, as can be seen in column 6, lines 31-67, it is the intent of Pan to create a deliberately non-planar surface with the edges 90 as described therein. Thus, if anything, Pan teaches away from the claimed invention and the citation of a reference by itself which teaches a non-planar surface fails to make out a *prima facie* rejection of a claim that requires a planar surface. In another words, since Pan teaches deliberately creating the stepped surface, he cannot also teach any rationale to modify his structure to create the planar surface.

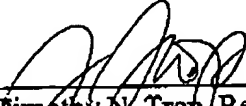
Therefore, reconsideration of the obviousness rejection is respectfully requested.

Alternatively, claim 26 was rejected on another portion of Pan, namely, relying on the first material as claimed to be the material 46 in Pan. However, the reason it is believed this was not used in the past is that the claim requires that the material 46 be "deposited on the support." The office action defines a support as the element 42. Plainly, the material 46 is not deposited on the support 42 but, instead, is deposited on the material 44. This is presumably the reason why the previous office action's relying on Pan relied on the material 44, not the material 46.

Therefore, reconsideration of the Section 102 rejection based on Pan is respectfully requested.

Respectfully submitted,

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Timothy V. Trop, Reg. No. 28,994  
TROP, PRUNER & HU, P.C.  
8554 Katy Freeway, Suite 100  
Houston, Texas 77024  
(713) 468-8880 [Phone]  
(713) 468-8883 [Fax]